



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## San Francisco Bay Region

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**ALAMEDA POINT**  
SSIC NO. 5090.3



**Gray Davis**  
Governor

Date: May 14, 2001  
File No.: 2199.9285 (LBJ)

Mr. Mike McClelland, BEC  
U.S. Navy  
EFD Southwest  
1220 Pacific Hwy  
San Diego, CA 92132-5190

**Subject : Response to Comments, Draft Installation Sites 4 and 5 Dense Non-Aqueous Phase Liquid and Dissolved Source Removal Action Engineering Evaluation and Cost Analysis, Alameda Point, California.**

Dear Mr. McClelland:

Regional Water Quality Control Board (RWQCB) staff has reviewed the document titled *Response to Comments, Draft Installation Sites 4 and 5 Dense Non-Aqueous Phase Liquid and Dissolved Source Removal Action Engineering Evaluation and Cost Analysis, Alameda Point, Alameda, California* (EECA). We find the Navy's responses to our comments for the Site 4 and 5 EECA to be unacceptable. We insist that pertinent portions of Chapter 16: California Health and Safety Code and RWQCB Resolution 88-160 are action specific applicable, relevant, and appropriate requirements (ARARs) pertaining to the removal actions contemplated for Sites 4 and 5.

In addition, based on information provided during meetings, we understand that the Navy desires to generate up to 4 megawatts of electricity on-site for this removal action. This aspect of the removal action has not received public comment or ARARs analysis. We therefore request that the Navy solicit ARARs for on-site power generation from the Bay Area Air Quality Management District and reissue a revised Draft EECA for public comment.

In relation to RWQCB action specific ARARs, we assert that the following responses are wrong and/or inadequate:

**Response to Comment 18.a:**

The Navy has not demonstrated that the chemical releases at Sites 4 and 5 did not originate from an underground storage tank (UST) system. The RWQCB asserts that at least a portion of the chemical release did originate from UST system(s). Therefore Title 23, Division 3, Chapter 16, Section 2655 is an ARAR for these sites. Moreover, we reject the Navy's apparent position that it is not an appropriate or relevant requirement to cleanup free product to the maximum extent practicable if the release was from a pipeline, aboveground tank, or other non-UST source.

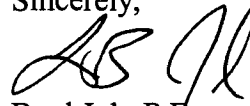
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**Response to Comment 18.b:**

RWQCB Resolution 88-160 is a "promulgated standard, requirement, criteria or limitation under a state environmental or facility siting law" and therefore, it is an action specific ARAR for these sites. Resolution 88-160 is generally applicable to any remedial action where polluted groundwater will be extracted and treated. If the Navy does not comply with the requirements of 88-160, then we will not authorize any discharge to the Bay. If such an unauthorized discharge were to occur, it would be clearly in violation of the Basin Plan.

Should you have any questions regarding this matter, please contact me at (510)-622-2400.

Sincerely,



Brad Job, P.E.

Water Resources Control Engineer

cc:

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***California Environmental Protection Agency***